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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/611,296

07/01/2003

Sarah Rose Hertel

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04/28/2008

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611 OLIVE STREET, SUITE 1611

ST. LOUIS, MO 63101

EXAMINER

KISH, JAMES M

ART UNIT

PAPER NUMBER

3737

MAIL DATE

DELIVERY MODE

04/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

10/611,296

Examiner

JAMES KISH

Applicant(s)

HERTEL ET AL.

Art Unit

3737

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephonic communication on April 17, 2008.
2. ☒ The allowed claim(s) is/are 1-12,14-18 and 20-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

/James Kish/
Examiner, Art Unit 3737

SUPPLEMENTAL EXAMINER'S AMENDMENT

A correction to the examiner's amendment originally mailed on April 3, 2008 appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Livingston on April 17, 2008.

The following claims (i.e., claims 1, 16 and 20) contained minor errors in the Examiner's Amendment dated April 3, 2008. These claims should have appeared as they are written below:

Amendments to the Claims

1. (currently amended) A method for analyzing at least one abnormality of an object, the method comprising:

obtaining a ~~[[first]]~~ computed tomography (CT) image containing an abnormality ~~using a first modality;~~

obtaining a ~~[[second]]~~ positron emission tomography (PET) image containing the abnormality ~~using a second modality;~~

selecting a first region of interest located within the ~~[[first]]~~ CT image;

determining an anatomical size of the abnormality based on the first region of interest in the ~~[[first]]~~ CT image; and

determining a relative metabolic activity based on a second region of interest within the [[second]] PET image; and

determining a specific metabolic activity within the first region of interest of the [[first]] CT image [[using]] by mathematically interpolating the relative metabolic activity within the second region of interest of the [[second]] PET image [[and]] based on the anatomical size of the first region of interest of the [[first]] CT image, wherein the determined specific metabolic activity is at least one of stored and displayed.

16. (previously presented ~~currently amended~~) A computer-readable medium in accordance with Claim 10 wherein to determine the relative metabolic activity the program configured to determine whether the metabolic activity within the second region of interest has a likelihood of being related to the abnormality.

20. (currently amended) An imaging system for analyzing at least one abnormality of an object, the imaging system comprising:

a radiation source;

a radiation detector; and

a controller operationally coupled to the radiation source and the radiation detector, the controller configured to:

obtain a first image containing an abnormality by performing a computed tomography (CT) scan of an object;

obtain a second image containing the abnormality by performing a positron emission tomography (PET) scan of the object;

select a first region of interest located within the first image;

determine an anatomical size of the abnormality based on the first region of interest in the first [[CT]] image; and

determine a relative metabolic activity based on a second region of interest located on the second image; and

determine a specific metabolic activity within the first region of interest of the first image [[using]] by mathematically interpolating the relative metabolic activity within the second region of interest of the second image [[and]] based on the anatomical size of the first region of interest of the first image, wherein the determined specific metabolic activity is at least one of stored and displayed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES KISH whose telephone number is (571)272-5554. The examiner can normally be reached on 8:30 - 5:00 ~ Mon. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brian L Casler/
Supervisory Patent Examiner, Art
Unit 3737

JMK